

STATE OF NEVADA



COMMISSION ON ETHICS

COMMISSION PANEL DETERMINATION
REGARDING JUST AND SUFFICIENT CAUSE
NRS 281.511(3)

COMMISSION PANEL: BILL FLANGAS AND RICK HSU

IN THE MATTER OF THE REQUEST FOR OPINION
CONCERNING THE CONDUCT OF
Sandra Tiffany, Nevada State Senator

Request for Opinion
No. 05-21

On March 7, 2006, pursuant to NRS 281.462, a Commission panel reviewed the Executive Director's Report and Recommendations Regarding Just and Sufficient Cause, the request for opinion filed herein, and all related documents and determined that just and sufficient cause exists for the Commission to hold a hearing and render an opinion on the allegations that Ms. Tiffany violated the provisions of NRS 281.481(2), NRS 281.481(5), and NRS 281.481(10). Further, the panel recommended just and sufficient cause does not exist for the Commission to hold a hearing and render an opinion on the allegation that Ms. Tiffany violated the provisions of NRS 281.505.

The initial complaint filed with the Commission alleged violations of NRS 281.481(2) and NRS 281.505; however, the Commission's investigation revealed additional potential violations of NRS 281.481(2), NRS 281.481(5), and NRS 281.481(10). Therefore, pursuant to NAC 281.189, the investigation was expanded to include additional relevant issues and facts beyond those presented in the ethics complaint.

Specifically, the panel recommended just and sufficient cause exists for the full Commission to hold a hearing and render an opinion regarding whether Ms. Tiffany violated:

- NRS 281.481(2) in eight (8) instances by using her position in government to secure unwarranted privileges, preferences, or advantages for herself and her company, Stockdales Auctions, by visiting and contacting numerous states and their unclaimed property and/or surplus divisions in her capacity as a Nevada State Senator, in order to make contacts and gather information about how those states conduct online auctions of unclaimed/surplus property, which information she then used to gain a contract with the Nevada State Purchasing Division and/or to directly solicit the out-of-state government entities to contract with Stockdales Auctions. Senator Tiffany's alleged conduct included contacts with:
 1. Staff in the Texas Comptroller's Unclaimed Property Division;
 2. Staff in the Pennsylvania Treasury Department;
 3. Staff in the California State Controller's Bureau of Unclaimed Property;
 4. Staff in the Washington Department of Revenue Unclaimed Property Section;
 5. Utah's Surplus Property Manager;
 6. Idaho's Administrator for Unclaimed Property;
 7. Colorado's Unclaimed Property Administrator; and
 8. Nebraska's Director of Unclaimed Property.

- NRS 281.481(2) in one (1) instance by using her position as a Nevada State Senator to secure unwarranted privileges, preferences, or advantages for herself and her company, Stockdales Auctions, by introducing Senate Bill 55 on February 15, 2005 during the 2005 Nevada legislative session, legislation Senator Tiffany purported would not benefit herself more than any other member of the business, profession, occupation, or group, and therefore was permissible under law [see NRS 281.501(1) and NRS 281.501(7)]. However, within the same week surrounding the introduction of SB 55 Senator Tiffany signed a sole source, non-competitive bid contract with the Nevada State Purchasing Division to be the sole source for her services within the State of Nevada. Therefore, as Senator Tiffany was the sole source for this service within Nevada, there is a question of fact as to whether, had the legislation been enacted, it would have been enacted for the sole benefit of Senator Tiffany.
- NRS 281.481(5) in three (3) instances by using her position as a Nevada State Senator to acquire information from certain government entities which by law or practice was not at the time available to people generally, and using the information to further the pecuniary interests of both herself and her company, Stockdales Auctions, in her attempt to gain contracts with three government entities. Senator Tiffany's alleged conduct included using such information to seek contracts with:
 1. Nevada State Purchasing Division;
 2. Nevada State Treasurer's office; and
 3. Staff from the California State Controller's Bureau of Unclaimed Property.
- NRS 281.481(10) in six (6) instances by using her position as a Nevada State Senator to seek and solicit business contracts with surplus and unclaimed property divisions in other states that would benefit both herself and her company, Stockdales Auctions. Senator Tiffany's alleged conduct included contacts with:
 1. Staff in the California State Controller's Bureau of Unclaimed Property;
 2. Staff in the Washington Department of Revenue Unclaimed Property Section;
 3. Utah's Surplus Property Manager;
 4. Idaho's Administrator for Unclaimed Property;
 5. Colorado's Unclaimed Property Administrator; and
 6. Nebraska's Director of Unclaimed Property.
- NRS 281.481(10) in two (2) instances by using her position as a Nevada State Senator to seek contracts to hire current employees of surplus and unclaimed property divisions in other states into and for the benefit of her company, Stockdales Auctions. Senator Tiffany's alleged conduct included contacts with:
 1. Jackie Schroeter, Manager of Safebox Operations for the Unclaimed Property Division in the Texas Comptroller's Office; and
 2. Lori Hetrick, Division Manager, Bureau of Unclaimed Property in the Pennsylvania Treasury Department.

The Request for Opinion is, therefore, REFERRED TO THE NEVADA COMMISSION ON ETHICS, and is scheduled for hearing on Wednesday, September 13, 2006 in Las Vegas, Nevada.

DATED: March 7, 2006

_____*Stacy M. Woodbury*_____
Stacy M. Woodbury, MPA, Executive Director